THE MADRAS LEGISLATIVE COUNCIL.

Thursday, the 8th May 1952.

The House met in the Council Chamber, Fort St. George, at eleven of the clock, Mr. Chairman (THE HON. DR P. V. CHERIAN) in the Chair.

[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

I.—ANNOUNCEMENT BY THE CHAIRMAN.

MR. CHAIRMAN :—" I have great pleasure in reporting to the House that on the evening of the 6th May 1952 His Excellency the Governor was pleased to make a speech[a] to both the Houses of the Legislature, copies of which have already been circulated to Members.

" The debate on the Address will take place on Saturday, the 10th May 1952, on a motion of thanks to be moved by a Member of the Ministerialist Party, notice of which has been circulated to hon. Members.

" I have also to announce that under rule 5 (2) of the Council Rules, I have fixed 12 noon on the 9th instant as the time before which notice of amendments to the said motion may be given to the Secretary."

II.—MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

MR. CHAIRMAN :—" I have to announce to the House that I have received the following message, dated 30th April 1952, from His Excellency the Governor :—

' In pursuance of Article 207, clause (3) of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Requisitioned Land (Continuance of Powers) Bill, 1952.' "

III.—CHAIRMAN'S RULING ON THE ADJOURNMENT MOTION *RE* ISSUE OF AN ORDER UNDER SECTION 144, CR.P.C. IN MADRAS CITY WITH SPECIAL REFERENCE TO LEGISLATURE PARTIES AND MEMBERS OF THE HOUSE.

* MR. CHAIRMAN :—" I shall now give my ruling on the motion for adjournment of business moved by Sri S. B. Adityan the other day. Hon. Members are aware that Sri S. B. Adityan gave notice of an adjournment motion on the 6th instant and I promised to give my ruling to-day. Before a motion of this kind is admitted, I should satisfy myself whether it conforms to the rules laid down for the admission of such motions. The matter raised by the motion must be definite, urgent and of public importance and must involve more than ordinary administration of law (vide May's Parliamentary Practice and Procedure, page 352). The subject-matter raised by Mr. Adityan relates to the orders issued by the Government under section 144, Criminal

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[a] Printed as Appendix on pages 24–26 infra.

Procedure Code. The Government will have to issue many orders from day to day for the maintenance of law and order, and the action taken by the Government in this case is done in the ordinary administration of law. Hence I rule the adjournment motion out of order."

IV.—COMPLAINT *RE* WRONGFUL RESTRAINT CAUSED TO AN M.L.C.

MR. CHAIRMAN :—" I have also received notice of another adjournment motion given by Mr. Adityan."

* SRI S. B. ADITYAN :—" Sir, before you deal with the adjournment motion, of which I have given notice, I have to make a complaint. Any matter dealing with privilege does not require any notice to be given beforehand. That is the rule. Now the complaint I have to make is about a matter relating to the privilege of the Members of this House. Mr. S. Ramakrishniah, who has been duly elected to this House from the Teachers' Constituency, was proceeding to attend the joint session . . ."

MR. CHAIRMAN :—" Is the hon. Member talking on the motion given notice of by him?"

* SRI S. B. ADITYAN :—" No, Sir. I am making a complaint to the Chairman. I am making an oral representation now. A substantive motion of privilege will be duly moved later on. The complaint now is that Mr. Ramakrishniah, a duly elected Member of this House, was proceeding to the Legislative Assembly Chamber on the 6th instant at about 5 p.m. He was stopped by the police at the gates of the Government Estate, Mount Road, and was informed that he could not proceed to the place where His Excellency the Governor was to address at 5 p.m. Of course, this Member was taken aback when he was so stopped. Naturally he asked the officer in charge why he was being obstructed. He was told that he must produce a pass. Mr. Ramakrishniah was all the more surprised on hearing this; because no Member of the Legislature had ever been told that he must produce a pass to enable him to get into the Assembly Chamber. Mr. Ramakrishniah told him that he was a Member of the Legislative Council. Immediately he replied, 'How do I know you are a Member?' Evidently the police man thought that Member of the Legislature would be men of big body and weight (laughter) besides being men with weight of knowledge. In this way he was detained for ten minutes. Subsequently he was allowed to proceed. But he could not attend the joint session of the Legislature at five o'clock. He was late by five minutes. On the whole he was detained for ten minutes. Sir, this is a grave breach of privilege of the Members of this House. I shall duly give notice of my motion on this subject. I mentioned this matter now, for, as per rules, the thing has to be mentioned at the very first opportunity and a substantive motion should be made thereafter in due course, in accordance with proper procedure."

MR. CHAIRMAN :—" Does the hon. Member move his motion now? "

SRI S. B. ADITYAN :—" No, Sir. That will be duly done later on."

V.—ADJOURNMENT MOTION *RE* RESUMPTION OF THE GRANT OF LANDS TO CONGRESS POLITICAL SUFFERERS.

* SRI S. B. ADITYAN :—" Sir, I have given notice of a motion for adjournment of the business of the House in these words—

'I ask leave of the House to-day for moving a motion for adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance, viz.—

The issue of an order by the Government to the Collector of Madurai to resume the grant of public lands to Congress political sufferers.' "

MR. CHAIRMAN :—" Mr. Adityan, there is no need to make a speech."

* SRI S. B. ADITYAN :—" I only read my motion. The usual procedure Sir, is that the Member who has given notice of the motion for the adjournment of the business of the House is allowed to state the facts of the case."

MR. CHAIRMAN :—" That is a matter left to my discretion, I shall give my ruling now. This motion is on similar lines to the previous one. These deal with actions taken by the Government in the course of their day-to-day administration. The House will have an opportunity to discuss this matter in the debate on the Address of His Excellency the Governor. So I rule the motion out of order."

The House now stands adjourned till 11 a.m. day after to-morrow, i.e., the 10th May 1952.

SRI V. CHAKKARAI CHETTY :—" Sir, is there no remedy for us against police obstruction? You are the custodian of our rights and privileges. I hope you will guard them carefully. I do not want to say anything more now. You are the best person to safeguard the rights and privileges of the Members of this House."

SRI V. GURUNANDAN ROW :—" Sir, what about the Bill put down for discussion to-day? May I know why it is not taken up to-day? "

MR. CHAIRMAN :—" I have already adjourned the House."

The House then adjourned to meet again at 11 a.m. on Saturday, the 10th May 1952.

APPENDIX

[Vide item 1 at page 21 supra.]

SPECIAL ADDRESS BY THE GOVERNOR, HIS EXCELLENCY SHRI SRI PRAKASA, UNDER ARTICLE 176 (1) OF THE CONSTITUTION OF INDIA TO THE MEMBERS OF THE MADRAS LEGISLATIVE ASSEMBLY AND COUNCIL ASSEMBLED TOGETHER AT THE ASSEMBLY CHAMBER, GOVERNMENT ESTATE, MOUNT ROAD, AT 5 P.M. ON TUESDAY, 6TH MAY 1952.

" Hon'ble Members of the Legislature,

' With this session of the State Legislature, we commence a new chapter in the history of our State. Before I proceed further, I would like to express on behalf of our State our regret at the passing away of King George VI, the Head of the Commonwealth of which our Republic has elected to be a member. The late King worthily upheld the great traditions of the British monarchy and endeared himself to all. We send our people's respectful greetings and good wishes to Queen Elizabeth.

' This is the first session of the State Legislature as constituted in accordance with the Constitution of the Republic of India, and I congratulate you on being members of this historic legislature. A democratic Constitution like ours will be largely what the voters and legislators make of it. The voters have done their part, and it is up to you, the legislators, to help in evolving sound traditions.

' In his Address at the commencement of the last session of the old legislature, my predecessor assured the Hon'ble Members of that legislature, and through them, the general public, that the Government were determined to do all that lay in their power to ensure that the general elections were conducted with absolute impartiality and fairness to all the contesting parties and candidates, and appealed for the co-operation of all the parties for achieving that result. I think we may claim that that assurance has been fulfilled. The largest share of the credit for this result must go to the several millions of voters, men and women, who exercised their franchise in an orderly manner.

' My Government assumed office on 10th April 1952. Owing to the shortness of time between that date and now, my Address will not cover as much matter as ordinarily, at the beginning of a session, the Address may be expected to deal with. We could not possibly postpone this sitting in view of clause (1) of Article 382 of the Constitution. After completing the necessary business at this sitting, it has been decided that you will be called upon to gather again in June and I shall address you again at the commencement of that sitting under clause (1) of Article 175. At that sitting of the Legislature, the full Budget for the current financial year will have to be passed, and it will be an occasion when there can be a comprehensive review of all matters which are important from the point of view of the welfare and development of the State.

8th May 1952]

'During the financial year 1951–52, this State experienced a failure of both the monsoons for the fifth year in succession. Cultivation of food crops suffered most seriously in four entire districts and in parts of six other districts. Relief measures have been extended to the affected areas by the grant of liberal wet and dry remissions and by providing relief works for labourers thrown out of employment by reason of this drought. Then collection of takkavi instalments has been postponed till the next fasli year in these areas. Takkavi and subsistence loans and loans for deepening field wells are also being sanctioned on a liberal scale in the affected areas. To meet the distress caused by the drought, drinking-water wells are being deepened in a large number of places. The Army of India is rendering great assistance in this respect. A number of water lorries have been loaned by them for distribution of water in the areas where scarcity of drinking water is most acute. Gruel centres have been opened in large numbers and free gruel is served to infirm and disabled persons and to women and children. The Government of India have sent a large quantity of multi-vitamin tablets and milk powder for distribution in the areas of distress. To relieve scarcity of fodder, the reserved forests in the districts of Cuddapah, Chittoor and Anantapur have been thrown open for free grazing, and free removal of hill grass. Arrangements have also been made to import fodder and grass from the surplus districts and to sell them at concessional rates to the ryots in the drought affected districts, where purchasing power has been considerably reduced. Several voluntary organizations have offered free gifts of fodder and grain and transport facilities have been arranged at State cost for moving them to the affected areas. The Prime Minister of India has most generously assisted us from his Relief Fund. A Madras State Famine Relief Fund has been organized and I trust there will be good response to our appeal.

'The Government of India have assisted us to find ways and means accommodation to the extent of two crores of rupees by purchasing securities held by the State Government and have agreed to make a free grant not exceeding Rs. 48 lakhs to help run gruel centres. We are most grateful to the Government of India and to the voluntary organizations for all their assistance. My Government will endeavour to give adequate relief in all the areas where there is distress on account of the failure of the monsoons.

'Owing to the successive failure of the monsoons during the last five years, the food situation in the State continues to be difficult. The latest estimates indicate that the production of rice this year will be less than the normal by nearly 10 lakhs tons and the production of millets by nearly 4 lakhs tons. Allotments by the Government of India from the All-India pool will be mostly in the shape of wheat and milo, and the rice quota is expected to be less than 2 lakhs tons. As against this, it may be noted that we have been lucky to some extent in seasonal conditions in the surplus districts, and there is no reason to apprehend that there will be any deterioration in procurement. The Government of India has permitted this State to increase the procurement price

of paddy by one rupee per maund up to the end of May this year in addition to the increase of eight annas per maund sanctioned in December last. This will not affect the consumer's prices.

'The recent general slump has resulted in considerable distress to those engaged in the large handloom industry of this State. My Government are giving anxious thought to this subject and will announce the measures which they propose to take after consulting all the interests concerned.

'There is an urgent piece of legislation to be put through at this meeting of the legislature. It relates to immovable properties which were requisitioned for purposes of the State Government under the Defence of India Rules during the last War and which continued to be subject to requisition under Central Act XVII of 1947, the life of which was extended for a period of one year from 1st April 1951 by Madras Act II of 1951. As the work of derequisitioning of these properties could not be completed before the end of March 1952, immediate action had to be taken to extend the life of the Central Act referred to, for a further period of one year from 1st April 1952. The Requisitioned Land (Continuance of Powers) (Madras Amendment) Amendment Ordinance, 1952 (Madras Ordinance I of 1952), extending the life of the Central Act till 1st April 1953 in respect of immovable properties requisitioned for State purposes, was promulgated on the 31st March 1952. A self-contained Bill replacing this Ordinance will be introduced during the present sittings of the legislature.

'I have done. I am sure that your debates and deliberations in this and future sittings of the new legislature of this State will be conducted with the same high sense of public duty and responsibility as in the past, and I pray that you may be guided by faith, courage and wisdom in your counsels.' "

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TRUTH ALONE TRIUMPHS